

Issued in Washington, DC, on October 13, 2004.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation,  
Office of Fossil Energy.*

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BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

[Docket No. EA-296]

### Application To Export Electric Energy; Rainbow Energy Marketing Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Rainbow Energy Marketing Corporation (Rainbow) has applied for authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before November 3, 2004.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Systems (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

#### FOR FURTHER INFORMATION CONTACT:

Steven Mintz (Program Office) 202-586-9506 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On September 27, 2004, the Office of Fossil Energy (FE) of the Department of Energy (DOE) received an application from Rainbow to transmit electric energy from the United States to Canada. Rainbow is a North Dakota corporation with its principal place of business located in Bismarck, North Dakota. Rainbow is a privately owned corporation and is a subsidiary of United Energy Corporation. Rainbow does not own or control any transmission or distribution assets, nor does it have a franchised service area. The electric energy which Rainbow proposes to export to Canada would be purchased from electric utilities and Federal power marketing agencies within the U.S.

On October 13, 2004, Rainbow supplemented its application with a letter requesting that DOE expedite the

processing of this application based on Rainbow's assertion that it currently has pending transactions that cannot be executed until prior to receipt of an electricity export authorization.

Accordingly, DOE has shortened the public comment period to 15 days.

Rainbow proposes to arrange for the delivery of electric energy to Canada over the existing international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Eastern Maine Electric Cooperative, International Transmission Company, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, Vermont Electric Company, and Vermont Electric Transmission Company. The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by Rainbow, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with sections 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the Rainbow application to export electric energy to Canada should be clearly marked with Docket EA-296. Additional copies are to be filed directly with Joseph M. Wolfe, Rainbow Energy Marketing Corporation, Kirkwood Office Tower, 919 South 7th Street, Suite 405, Bismarck, ND 58504.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by the DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.de.gov>. Upon reaching the Fossil Energy Home page, select "Electricity

Regulation," and then "Pending Procedures" from the options menus.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7828-8]

### Recent Posting to the Applicability Determination Index (ADI) Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Ozone Protection Program

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made under the New Source Performance Standards (NSPS); the National Emission Standards for Hazardous Air Pollutants (NESHAP and MACT); and the Stratospheric Ozone Protection Program.

**FOR FURTHER INFORMATION CONTACT:** An electronic copy of each complete document posted on the Applicability Determination Index (ADI) database system is available on the Internet through the Office of Enforcement and Compliance Assurance (OECA) website at: <http://www.epa.gov/compliance/assistance/applicability>. The document may be located by date, author, subpart, or subject search. For questions about the ADI or this notice, contact Maria Malave at EPA by phone at: (202) 564-7027, or by e-mail at: [malave.maria@epa.gov](mailto:malave.maria@epa.gov). For technical questions about the individual applicability determinations or monitoring decisions, refer to the contact person identified in the individual documents, or in the absence of a contact person, refer to the author of the document.

#### SUPPLEMENTARY INFORMATION:

**Background:** The General Provisions to the NSPS in 40 CFR part 60 and the NESHAP in 40 CFR part 61 provide that